



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to Review Cost Report for City Weed Abatement Program for 1996

**MEETING DATE:** November 20, 1996

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** That following a Public Hearing regarding the matter, the City Council adopt the attached Resolution confirming the cost of weed abatement in the City of Lodi during 1996 and providing for collection through the San Joaquin County Auditor's office.

**BACKGROUND INFORMATION:** The City Council will recall that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications and postings were made regarding the matter. Public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the parcels listed on the next page. The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. At the time fixed for receiving and considering the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. After confirmation of the report by the Council, a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

Therefore, it is recommended that following the Public Hearing the City Council adopt the attached Resolution confirming the cost of weed abatement in the City of Lodi during 1996 and provide for collection through the San Joaquin County Auditor's office.

Both the Purchasing Officer and the Fire Marshal will be at the November 20, 1996 City Council meeting to present the staff report and answer any questions the Council may have.

**FUNDING:** None required.

  
Jennifer M. Perrin  
City Clerk

Attachments

cc: Purchasing Officer  
Fire Marshal

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

REPORT OF COST OF ABATING WEEDS 1996			
Property Address	Cost	Administrative Fee	Total
44 Commerce Street (APN 049-190-28)	\$350.00	\$37.16	\$387.16
167 Commerce Street (APN 049-190-09)	\$190.00	\$54.24	\$244.24
811 S. Pleasant Avenue (APN 045-180-19)	\$175.00	\$36.89	\$211.89
905 Interlaken Drive (APN 027-300-01)	\$150.00	\$56.04	\$206.04
713 S. Sacramento Street (APN 045-240-07)	\$ 75.00	\$37.16	\$112.16

MEMORANDUM, Finance Department, Purchasing Division

RECEIVED

10-03-96 10:10

---

TO: City Clerk

FROM: Purchasing Officer

DATE: October 3, 1996

SUBJECT: Report of the Cost of Abating Weeds - 1996

Following is a summary of the costs of abating weeds as authorized by City Council Resolution 96-44. The summary indicates the cost of abatement, administrative fees, and total cost.

**44 COMMERCE ST.**  $\$350.00 + \$37.16 = \$387.16$   
**LODI CA 95240**  
**APN 049-190-28**

**167 COMMERCE ST.**  $\$190.00 + \$54.24 = \$244.24$   
**LODI CA 95240**  
**APN 049-190-09**

**811 S. PLEASANT AVE.**  $\$175.00 + \$36.89 = \$211.89$   
**LODI CA 95240**  
**APN 045-180-19**

**905 INTERLAKEN DR.**  $\$150.00 + \$56.04 = \$206.04$   
**LODI CA 95242**  
**APN 027-300-01**

**713 SO. SACRAMENTO ST.**  $\$75.00 + \$37.16 = \$112.16$   
**LODI CA 95240**  
**APN 045-240-07**

cc: Fire Department

RESOLUTION NO. 96-176

A RESOLUTION OF THE LODI CITY COUNCIL  
CONFIRMING THE COST OF WEED ABATEMENT  
FOR 1996 AND PROVIDING FOR COLLECTION

---

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost  
of Weed Abatement for 1996 and  
Providing for the Collection on  
the Regular Tax Bill

RESOLUTION NO. 95-176

The City Council adopted Resolution No. 96-30 on April 3, 1996 electing to proceed under Government Code Section 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 96-44 on May 1, 1996 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 96-30 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 96-44 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth in Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: November 20, 1996

=====

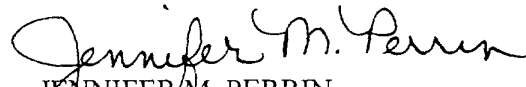
I hereby certify that Resolution No. 96-176 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 20, 1996, by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock  
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

  
JENNIFER M. PERRIN  
CITY CLERK

REPORT OF COST OF ABATING WEEDS 1996			
Property Address	Cost	Administrative Fee	Total
44 Commerce Street (APN 049-190-28)	\$350.00	\$37.16	\$387.16
167 Commerce Street (APN 049-190-09)	\$190.00	\$54.24	\$244.24
811 S. Pleasant Avenue (APN 045-180-19)	\$175.00	\$36.89	\$211.89
905 Interlaken Drive (APN 027-300-01)	\$ 50.00	\$56.04	\$106.04
713 S. Sacramento Street (APN 045-240-07)	\$ 75.00	\$37.16	\$112.16



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: November 20, 1996

Time: 7:00 p.m.

For information regarding this notice please contact:

**Jennifer M. Perrin**

City Clerk

Telephone: (209) 333-6702

### NOTICE OF PUBLIC HEARING


NOTICE IS HEREBY GIVEN that on **Wednesday, November 20, 1996**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Review Cost Report of City Weed Abatement Program for 1996

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

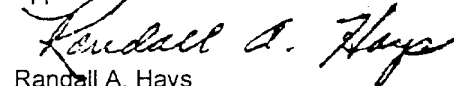
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

By Order of the Lodi City Council:

  
Jennifer M. Perrin  
City Clerk

Dated: November 6, 1996

Approved as to form:

  
Randall A. Hays  
City Attorney



## **DECLARATION OF MAILING**

### **Public Hearing: Review Cost of City Weed Abatement Program for 1996**

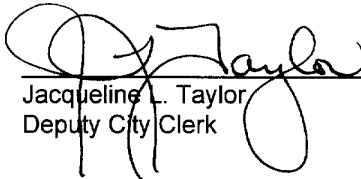
On November 7, 1996 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 7, 1996, at Lodi, California.

Jennifer M. Perrin  
City Clerk



Jacqueline L. Taylor  
Deputy City Clerk

---

Linda S. Nichols  
Administrative Clerk



# MAILING LIST

**APN 049-190-28  
44 Commerce Street  
Lodi, CA 95240**

**APN 049-190-09  
167 Commerce Street  
Lodi, CA 95240**

**APN 045-180-19  
811 S. Pleasant Avenue  
Lodi, CA 95240**

**APN 027-300-01  
905 Interlaken Drive  
Lodi, CA 95242**

**APN 045-240-07  
713 S. Sacramento Street  
Lodi, Ca 95240**

CITY COUNCIL

DAVID P. WARNER, Mayor  
PHILLIP A. PENNINO  
Mayor Pro Tempore  
RAY G. DAVENPORT  
STEPHEN J. MANN  
JACK A. SIEGLOCK

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807

H. DIXON FLYNN  
City Manager  
JENNIFER M. PERRIN  
City Clerk  
RANDALL A. HAYS  
City Attorney

December 4, 1996

San Joaquin County  
Auditor-Controller  
24 S. Hunter, Room 103  
Stockton, CA 96201

Re: City of Lodi Weed Abatement Program for 1996

Enclosed please find certified copy of Resolution No. 96-176 entitled, "A Resolution of the Lodi City Council Confirming the Cost of Weed Abatement for 1996 and Providing for Collection" which was adopted by the City Council on November 20, 1996.

The Resolution sets forth that the County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes.

Should you have any questions regarding the matter, please do not hesitate to give me a call.

Sincerely,

  
Jennifer M. Perrin  
City Clerk

JMP

Enclosure

cc: San Joaquin County Assessor

RESOLUTION NO. 96-176

A RESOLUTION OF THE LODI CITY COUNCIL  
CONFIRMING THE COST OF WEED ABATEMENT  
FOR 1996 AND PROVIDING FOR COLLECTION

---

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost  
of Weed Abatement for 1996 and  
Providing for the Collection on  
the Regular Tax Bill

RESOLUTION NO. 95-176

The City Council adopted Resolution No. 96-30 on April 3, 1996 electing to proceed under Government Code Section 39501-59588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the City;

The City Council adopted Resolution No. 96-44 on May 1, 1996 following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the City;

The Superintendent has abated the nuisance declared by Resolution No. 96-30 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 96-44 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the Council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth is Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code §§39560-39587.

Dated: November 20, 1996

=====


I hereby certify that Resolution No. 96-176 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 20, 1996, by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock  
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

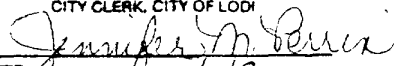
ABSTAIN: COUNCIL MEMBERS - None

  
JENNIFER M. PERRIN  
CITY CLERK

THE FOREGOING DOCUMENT IS CERTIFIED  
TO BE A CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE.

JENNIFER M. PERRIN  
CITY CLERK, CITY OF LODI

BY  
DATED:

  
12/4/96

REPORT OF COST OF ABATING WEEDS 1996			
Property Address	Cost	Administrative Fee	Total
44 Commerce Street (APN 049-190-28)	\$350.00	\$37.16	\$387.16
167 Commerce Street (APN 049-190-09)	\$190.00	\$54.24	\$244.24
811 S. Pleasant Avenue (APN 045-180-19)	\$175.00	\$36.89	\$211.89
905 Interlaken Drive (APN 027-300-01)	\$ 50.00	\$56.04	\$106.04
713 S. Sacramento Street (APN 045-240-07)	\$ 75.00	\$37.16	\$112.16